

**A RESOLUTION OF THE REPUBLICAN RIVER
WATER CONSERVATION DISTRICT**

(To Establish Guidelines Regarding Conservation Programs and Activities)

RESOLUTION NO. 21-04

RECITALS

WHEREAS, the District was formed because the Colorado Legislature determined that “The conservation of the Republican river, its tributaries, and that portion of the Ogallala aquifer underlying the district for compliance with the Republican river compact are of vital importance to the growth and development of the entire area and the welfare of all its inhabitants.” § 37-50-101, C.R.S.; and,

WHEREAS, insuring compliance with the Republican river compact (“Compact”) presents a challenge at the present time but will continue to present a challenge to the State and to the District for the foreseeable future; and,

WHEREAS, it is incumbent upon the Board to take actions that are designed to achieve current and ongoing Compact compliance but also to take actions required to insure that Compact compliance continues into the future; and,

WHEREAS, by reducing withdrawals from the Ogallala aquifer through conservation programs designed to reduce the long-term impact of the current level of groundwater use, the District can act to insure that future Compact compliance is a reality while at the same time assisting in the goal of extending the life of the Ogallala aquifer for the present and future generations of the District; and,

WHEREAS, in seeking to advance the conservation of the groundwater in the Ogallala aquifer in order to promote long term compliance with the Compact the District can also cooperate with the Ground Water Management Districts (“GWMDs”) within its jurisdiction which share a responsibility for, and possess the statutory power to require, the conservation of the same Ogallala aquifer. § 37-90-130, C.R.S.; and,

WHEREAS, the District has the authority to enter into agreements with GWMDs by which the District may provide financial support for the GWMDs in order to allow them to utilize the statutory powers provided to them in order to set and enforce conservation standards within each GWMD by which water use is reduced and the District’s over-arching goal of long term compact compliance advanced; and,

WHEREAS, in general the District will seek to insure that all producers within the District are afforded the opportunity to participate in any District sponsored conservation program or activity; and,

WHEREAS, the District also has the authority to develop Compact compliance programs that are designed to ensure adherence to all stipulations, and agreements executed by the three states signatory to the Compact including the establishment of focus zones, when it is necessary, by which certain producers, located within such a focus zone, are offered additional incentives to participate in permanent fallowing or a specified conservation program; and,

WHEREAS, it is the responsibility of the Board to establish conservation programs to achieve compact compliance including the identification of focus zones and to determine the terms and conditions for the payment of program incentives.

NOW THEREFORE, the Board makes the following determinations to guide its actions supporting both the achievement of the State's compact compliance responsibilities as well as the necessary conservation actions required to ensure compact compliance in the long term, together with insuring the availability of the Ogallala aquifer for the benefit of future generations:

1. The development and funding of conservation programs designed to reduce the use and consumption of groundwater in the District will always have a beneficial purpose which is to extend the life of the Ogallala aquifer and contribute to long term compact compliance.
2. In the establishment of reasonable fees to be charged to producers in the District the first priority will be to insure that the actions required for immediate compliance with existing requirements contained in stipulations and agreements signed among the three states are funded. However, it will always be considered appropriate to fund reasonable long term conservation efforts designed to insure long term compact compliance.
3. The actual authority to require and enforce conservation actions in the District is vested in the GWMDs and the Board may participate in cooperative programs with any GWMD willing to do so by which the Board may provide funding for the accomplishment of identifiable and quantifiable conservation programs initiated by a GWMD as another way to insure long term compact compliance.
4. The Board may set fees to ensure that both short term and long-term compact compliance is achieved while at the same time seeking to promote conservation activities throughout the District as a means to that end.
5. To the extent possible the Board will seek to ensure that conservation programs are equally available to all producers within the District except when it is necessary to establish specific focus zones where additional payments to producers are required in order to comply with the mandates of a compact related stipulation or interstate agreement.

ADOPTED this 17th day of August 2021

ATTEST:

BOARD OF DIRECTORS
REPUBLICAN RIVER WATER
CONSERVATION DISTRICT


Secretary


President